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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

IROQUOIS GAS TRANSMISSION  
SYSTEM L.P.,

Plaintiffs,

- against -

ASSOCIATED ELECTRIC & GAS  
INSURANCE SERVICES LTD.,  
Hamilton, Bermuda; CERTAIN  
UNDERWRITERS AT LLOYD'S; AON  
RISK SERVICES OF TEXAS, INC.; and  
AMERICAN HOME ASSURANCE CO.,

Defendants.

-----X

**ECF CASE**

05 Civ.2149 (JSR)

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE**, that upon the annexed Affidavit of Edward C. Radzik, sworn to on the 26<sup>th</sup> day of August, 2005, and the exhibits annexed thereto, the accompanying Memorandum of Law, the accompanying Statement of Material Facts pursuant to Local Rule 56.1, and upon all the pleadings and proceedings heretofore had herein, the undersigned, on behalf of Defendants, Underwriters at Lloyd's and Certain


Insurers Subscribing to Marine Hull & Machinery Policy No. LE0280715 ("Lloyd's Underwriters") will move before the Honorable Jed S. Rakoff United States District Judge, at the United States District Court, 500 Pearl Street, New York, New York 10007 in Courtroom 14B on September 23, 2005 at 4:00 p.m. as soon thereafter as counsel can be heard, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting Defendant Lloyd's Underwriters' motion for summary judgment on the issue that any insurance coverage that would otherwise be available to plaintiff is vitiated by reason of plaintiff's lack of notification as a matter of law.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's Scheduling Order dated April 15, 2005, all opposing affidavits and answering memoranda shall be served on or before September 9, 2005, and reply papers shall be served on or before September 16, 2005.

Dated: New York, New York  
August 26, 2005

Respectfully submitted,

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